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DE RUEHC #8463 0272132
ZNR UUUUU ZZH
O R 272126Z JAN 10
FM SECSTATE WASHDC
TO RUEHVEN/USMISSION USOSCE IMMEDIATE 7157
INFO RUEHKB/AMEMBASSY BAKU 9989

UNCLAS STATE 008463

SIPDIS

E.O. 12958: N/A
TAGS: [OSCE](#) [CARC](#) [PHUM](#) [AJ](#)
SUBJECT: OSCE PERMANENT COUNCIL: HUMAN RIGHTS CONCERNS IN
AZERBAIJAN

¶1. Post is authorized to make the following statement at the
January 28 meeting of the OSCE Permanent Council in Vienna:

Begin Text:

Thank you, Mr. Chairman.

The United States is concerned by recent charges of drug
possession filed against imprisoned Azerbaijani journalist
Eynulla Fatullayev.

Eynulla Fatullayev is currently serving an eight and a half
year prison term for two different articles he wrote and for
which he was accused of libel, terrorism, tax evasion, and
inciting ethnic hatred. A number of reputable domestic and
international observers consider his imprisonment politically
motivated.

The OSCE's Representative on Freedom of Media has called the
recent allegations of heroin smuggling or possession highly
improbable, particularly under the circumstances of his
incarceration. In addition, the timing of the charges,
coming before of an expected judgment by the European Court
of Human Rights on a case brought by Mr. Fatullayev, creates
concern. We urge the Government of Azerbaijan to resolve
this case in accordance with the country's laws and
Constitution, as well as its international commitments.
Securing freedom of expression for all citizens, including
members of the media, is essential for democracy. Without an
open media environment, candidates in the upcoming
parliamentary election will not be able to effectively
disseminate their messages the public, undermining the
credibility of the government's stated commitment to
democratic development.

We call upon the government of Azerbaijan to resolve this and
other cases of imprisoned journalists and to promote a free
and independent media, in keeping with its professed goal of
developing democratic institutions and a vibrant and free
society in Azerbaijan. Releasing those members of the media
who have been unjustly imprisoned, including Eynulla
Fatullayev, would be a good step in this direction.

In another case involving freedom of expression, we also urge
Azerbaijani authorities to conduct the appeal of imprisoned
youth activists and bloggers Emin Milli and Adnan Hajizade in
a fair and transparent manner. Following their convictions
in November, we voiced our regret over the court's decision
and our concern with the non-transparent investigation,
closed court hearings, and disproportionate legal charges.
We urge Azerbaijan to guarantee that the due process rights
of Milli and Hajizade are fully protected during the appeal
process.

The United States remains committed to working together with
the government and people of Azerbaijan to encourage freedom
of expression and rule of law based on principles of justice
OSCE commitments which we view as integral to the democratic
process in every State.

Thank you, Mr. Chairman.

End text
CLINTON